

COMMISSION ON INDIGENT DEFENSE

Commission Meeting

September 25, 2015

Location: Conference Room, SC Commission on Indigent Defense, 1330 Lady Street, Columbia, S.C.

Attending Members: Harry Dest, Doug Strickler, Jack Howle, Hon. Edward Cottingham, John Nichols, Ashlin Potterfield, Yvonne Murray-Boyles, Ashley Pennington (via teleconference).
Attending Staff: Patton Adams, Hugh Ryan, Lisa Campbell, Bob Dudek and Shane Goranson.

There being a quorum the Chair called the meeting to order.

A motion to approve minutes of the meeting of June 25, 2015 was made seconded and passed.

The next commission meeting is scheduled for December 4, 2015 at 10:30 a.m.

Mr. W. Lawrence Brown, Deputy General Counsel and Training Coordinator was introduced to the members and welcomed by the chair.

FY17 Budget: The commission will continue efforts to work with Prosecution Coordination on appropriated funding as well as funding for unfunded mandates. There are currently 24 possible actions resulting from the Byars decision that may be treated as capital cases and could have a significant financial impact on agency resources. Additionally revisions to the Vulnerable Adult Statute for lay guardians ad litem and also attorneys for the vulnerable adults may require the agency to provide representation. This program is administered through the Office of the Lieutenant Governor and costs are estimated to increase from \$0 to \$500,000. The Lieutenant Governor will request additional funding in January, 2016. The agency was not consulted regarding the fiscal impact the statutory changes and expansion of SCVAGAL would have on agency funds. The SC Bar is participating in discussions concerning this program. Additionally requests for funds on some cases have started to be submitted. The state did not put any additional funds in Agency's budget to cover these costs.

Commission Potterfield asked if Vulnerable Adult program could be shifted back to the SC Bar. Mr. Ryan reported the Bar is making efforts to create a volunteer program. Commissioner Pennington asked if the commission would advocate against the appointment of two attorneys in Aiken v. Byars cases. The more critical need for investigators in these actions as briefly discussed.

Municipal Court Representation: Mr. Ryan reported each Circuit Public Defender has provided a report on the status of representation in each county in their respective circuit.

Human Resources Report – Caseload /State and County Funding: There are currently 221 public defenders. There has been an increase of \$1.1M in county funding over the last fiscal year.

Proviso 61.3 A report to the General Assembly on Indigency Screening – a committee of Circuit Public Defenders comprised of Grant Gibbons, Rob Madsen and Ashley Pennington will make recommendations to the commission.

The Chair asked for new business. Commissioner Pennington requested information on funding for body cameras. Mr. Adams stated he would discuss this with Senator Malloy and provide a report to the commission.

Commissioner Potterfield reported training for Rule 608 attorneys will be provided through the Children’s Law Office.

The Chair asked for further business and there being none, a motion to adjourn was made, seconded and passed.

Respectfully submitted,

Lisa Campbell
Assistant Director